

REMARKS

Applicants reply to the Office Action dated May 4, 2009, within the shortened statutory three month period for reply. Claims 1, 9, 21-22 and 28-29 were pending in the application. The Examiner rejects claims 1, 9, 21, 22, 28 and 29. Support for the amendments may be found in the originally-filed specification, claims, and figures. No new matter has been introduced by these amendments. Reconsideration of this application is respectfully requested.

The Examiner states that certified copies of the priority applications were not submitted. However, as this is a National Stage application based on the PCT, the priority documents were transferred by WIPO. Applicants submit herewith a copy of FORM PCT/IB/304 which states the copies were transferred appropriately.

The Examiner next rejects claims 1, 9, 21, 22, 28 and 29 under 35 USC 102 as being anticipated by Terada et al., US patent application publication 2007/0086281 (“Terada”). Applicants respectfully disagree with these rejections, but Applicants amend the claims (without prejudice or disclaimer) in order to clarify the patentable aspects of the claims and to expedite prosecution.

Applicants amend claim 1 (and similar amendments to independent claims 21 and 28) to recite how the claimed “first address information” and “second address information” are correlated and how such correlation is used to produce the updated “second address information” instead of the original “first address information”, thereby reproducing the updated “second information”, whose locations are indicated by the updated “second address information”, instead of reproducing the original “first information”, whose locations are indicated by the original “first address information”. Support for these amendments can be found at least on paragraph 230 of the original English Language specification.

Terada appears to use a TDFL (temporary defect list) to store normal or alternate-address information. The information is known to be valid or not based on the alternate address information restructuring process disclosed in fig 24 of Terada. Furthermore, a flag is set indicating that data has been written to an alternative location.

More specifically, Terada uses a defect management list (DFL) recorded in a specific area (disc definition structure (DDS)). The method of data writing disclosed in figs. 17-20 of the

specification is different from that disclosed in the amended claims. In Terada, if writing occurs without an error, a space bitmap stored in a cache memory, which is searched for a bit corresponding to a cluster in which data has been written, the bit is then set to a value indicating that data has been written into the cluster. If an error has occurred in the writing process, and the data has been recorded at a different location (inner space area (ISA) or outer space area (OSA)) a bit corresponding to the cluster in the ISA/OSA is set. However, the temporary defect management list (TDML) must also be updated in the cache memory which must contain a margin allowing an entry of alternate-address information. The TDMA must also be written to the disk at the end of the write process.

Applicants assert that Terada does not disclose or contemplate, at least “wherein the correlation information correlates the first address information with the second address information by correlating the third address with a fourth address indicating at least one of the locations of the information recording medium at which the second address information is recorded, such that when reproducing the information is recorded, such that when reproducing the information recorded by the recording apparatus by a reproduction apparatus, in response to a reproduction instruction for the first address information from the reproduction apparatus, wherein the reproduction instruction includes the third address, the correlation information is referenced to by the reproduction apparatus so as to determine the fourth address based on the third address such that the reproduction apparatus reproduces the second address information based on the determined fourth address instead of reproducing the first address information,” as similarly recited in independent claims 1, 21 and 28.

Dependent claims 9, 22, and 29 variously depend from independent claims 1, 21 and 28, so Applicants assert that dependent claims 9, 22, and 29 are differentiated from the cited reference for the reasons set forth above, in addition to their own respective features.

In view of the above remarks and species election, Applicants respectfully submit that all pending claims properly set forth that which Applicants regard as their invention and are allowable over the cited reference. Accordingly, Applicants respectfully request allowance of the pending claims. Should the Examiner have any suggestions to place the application in even better condition for allowance, Applicants request that the Examiner contact the undersigned representative at the telephone number listed below. The Commissioner is authorized to charge

any fees due or refund any overpayment to Deposit Account No. 19-2814, including extension of time fees, if needed.

Respectfully submitted,


Howard I. Sobelman
Reg. No. 39,038

SNELL & WILMER L.L.P.
400 E. Van Buren
One Arizona Center
Phoenix, Arizona 85004
Phone: 602-382-6228
Fax: 602-382-6070
Email: hsobelman@swlaw.com